IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

TUESDAY, THE 19TH DECEMBER 2006 / 28TH AGRAHAYANA 1928

WP(C).No. 33245 of 2006(G)

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PETITIONER:

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1. MOHAMMED BASHEER, SAREENA MANZIL,
   KIZHAVOOR, MUKHATHALA, KOLLAM.

2. NANOO, NEDIYAZHIKATHU VEEDU,
   PANGONAM, KIZHAVOOR, KOLLAM.

3. MOHAMMEDKUNJU, CHARUVILA VEEDU,
   KIZHAVOOR, MUKHATHALA, KOLLAM.

4. SARASAMMA, NEDIYAZHIKATHU VEEDU,
   PANKONACHERRY, THRIKKOVIL VATTOM,
   KOLLAM.

5. UMIBABEEVI, CHARUVILA VEEDU,
   KIZHAVOOR, KOLLAM.

6. RESHEEDABEEVI, PUNNAVILAKOZHAKATHIL,
   PUTHEN VEEDU, PANKONAM, KIZHAVOOR,
   KOLLAM.

7. REMLATH RAHIM, VILAYIL VEEDU,
   UMAYANALLOOR P.O., KOLLAM.

8. N.BEESAUMMAL, KOCHAZHIKATHU VEEDU,
   (SHAMINA MANZIL), KIZHAVOOR, KOLLAM.

9. MARIYAMBEEVI, SAJEENA MANZIL,
   (PLAVAZHIKATHU VEEDU), KIZHAVOOR,
   KOLLAM.

10. SALINAUMMAL, KUNNAVILA VADAKKATHIL,
    KIZHAVARATHU CHERRY, KOLLAM.

11. RESHEEDABEEVI, KUNNUVILAKIZHAKKATHIL,
    KIZHAVOOR, MUKHATHARA, KOLLAM.

BY ADV. SMT.S.K.DEVI
SRI.SANTHOSH P.ABRAHAM

WPC 33245/2006

RESPONDENTS:
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1. THE DISTRICT COLLECTOR,
   CIVIL STATION, KOLLAM.

2. THE SPECIAL TAHSILDAR (LA),
   K.I.P. KOTTIYAM, KOLLAM.

3. STATE OF KERALA, REPRESENTED BY
   THE PRINCIPAL SECRETARY, FINANCE DEPARTMENT,
   GOVT. SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER L.G.SURESH BABU

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**K.T.SANKARAN, J**

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W.P.(C) No.33245 of 2006

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Dated this the 19th day of December, 2006

**JUDGMENT**

In spite of an opportunity having been granted to get instructions in the matter, it would appear that the respondents have not furnished any instructions to the Government Pleader.

2. The lands belongs to the petitioners were acquired for the purpose of Kallada Irrigation Project. Award was passed. The petitioners did not file any application under Section 18 of the Land Acquisition Act for reference. However, it is contended that one Remani Bai Amma, whose land was also acquired under same notification and for the same purpose filed an application for reference and accordingly reference was made to the Sub Court, Kollam where it was numbered as LAR 245 of 1990. That reference case was disposed of as per Ext. P1 judgment dated 30.9.1997 and the compensation was enhanced by the reference court. After Ext. P1 judgment was passed, the petitioners submitted Exts. P2 to P12 applications under Section 28A of the Land Acquisition Act. The grievance of the petitioners is that

though they submitted the applications under Section 28A of the Land Acquisition Act in January 1998, those applications are not disposed of so far. It is submitted by the learned Govt. Pleader that there are several hundreds of applications under Section 28A of the Act in respect of the very same acquisition proceedings and that all those applications are being disposed of in accordance with the priority. Therefore, there will be a direction to the second respondent to dispose of Ext. P2 to P12 applications, after affording an opportunity of being heard to the petitioners, in accordance with the priority of cases and at any rate within a period of six months.

The Writ petition is allowed as above.

**K.T.SANKARAN,**
**JUDGE**

csl